NEW YORK HERALD.

JAMES GORDON BENNETT. EDITOR AND PROPRIETOR.

OFFICE N. W. CORNER OF PULTON AND NASSAU STS

AMUSEMENTS THIS EVENING. NUBLO'S GARDEN, Broadway. -THE DUKE'S MOTTO.

WALLACE'S THEATRE. Broadway.-Knights of TEL WINTER GARDEN, Broadway .- London Assurance.

LAURA KEENE'S THEATRE. Broadway.-TAKE ME NEW BOWERY THEATPS, Bowery. - DUKE'S SIGNAL-

BOWERY THEATRE BOWERY.-THE DUKE'S DEVICE-BARNUM'S AMERICAN MUSTUM. Broadway.-GKI from Thoma and Wife, Com. NUTT AND MINNIE WARREN IT allhours Harvest Storm-Nervous Man. Afternoo

YOU. GUERNBACKS! WOOD'S MINSTREL HALL. 514 Broadway. - Err THE NEW IDEA. 485 Broadway .- Songs. Burlesques. AMERICAN THEATRE, No. 444 Broadway.-BALLETS

HOPE CHAPEL, 720 Broadway-PANORAMA OF THE MUSEUM OF ANATOMY, 618 Broadway. -- CURIORITIES WONDERS AND LECTURES, from 9 A. M. till 10 P. M. HOOLEY'S OPERA HOUSE, Brooklyn.-ETHIOPIAN

New York, Thursday, June 11, 1863.

THE NILE IS SETTLED.

The highly interesting sketch of the discoveries made in the interior of Africa, by Captains Speke and Grant, delivered by Sir Roderick Murchison before the Royal Geographical Society, will be published in the WEEKLY HERALD on Saturday

THE SITUATION.

We give to-day very full details of the brilliant and successful cavalry fight on the Rappahannock, near Beverly Ford, on Tuesday morning-the results of which we before published-and which put a sudden check upon the enemy's intention to invade Maryland and Pennsylvania with a powerful force of Stuart's famous cavalry. General Buford, of General Pleasanton's corps, commanded our troops, together with General Gregg and Colonel B. F. Davis. They crossed the ford ten thousand strong at daylight, and cleared the woods of the enemy after a desperate hand to hand contest .- The fight lasted till twelve o'clock, noon, when our artillery opened on the rebels and drove them back six miles towards Culpepper Court House. Our loss is stated to be considerable, including Colonel Davis, of the Eighth New York cavalry, who is reported killed. That of the enemy is said to be fearful.' It was undoubtedly a desperate and bloody combat; but it succeeded in thwarting the plans of General Lee to get into the rear of the army of the Rappahannock, and lay waste the fertile counties of Maryland and Pennsylvania. General Stuart and Colonel Fitzhugh Lee commanded the enemy. We give a pretty full list of our killed and wounded in another column.

The position of affairs at Fredericksburg remains unchanged. The enemy opened their batteries on Tuesday upon our camps for a few minutes with shell, but did no material damage. Some mysterious movements on the part of both armies are evidently going on, and important developments may be expected at any moment.

Despatches from Vicksburg, by way of Cincinnati yesterday, represent the condition of affairs the army that Vicksburg must fall was confident. The total loss of our forces since crossing the river is said to amount to 7,000 at the utmost.

Our news from other parts of the West is not very exciting. Everything is quiet at Murfreesboro, Tenn. No indications of new movements are telegraphed from there. At Monticello General Carter's forces, who have been guarding the north bank of the Cumberland river, crossed over on Tuesday and drove the rebel General Pegram's troops out of the place, and at last accounts were pursuing them and capturing prisoners and

The Assistant Secretary of the Navy, Mr. Fox, reports somewhat favorably of the action of our blockading squadron. He states that up to the 1st of June they captured 855 rebel vessels, which shows that the Department has not been asleep all the time. The British steamer Africa, which arrived at Halifax on Tuesday, reports that the Alabama had destroyed during the month of April, south of the equator, four United States vessels. the Dorcas Prince, Sea Lark, Union Jack and Nye, with valuable cargoes.

The transport Cahawba, which arrived here yesterday from New Orleans and Fortress Monroe, with the Sixth New York Volunteers, brought quite a large number of rebel prisoners.

News from Port Royal of the 3d inst. states that the Second South Carolina regiment (negroes), under Colonel Montgomery, had defeated the rebels at Pocotalico, and were holding the railroad bridge between Savannah and Charleston. The Fifty-fourth Massachusetts (colored regiment), was to be sent to reinforce Colonel Montgomery.

Admiral Farragut, at his own request, is now to be relieved of his command on the Mississippi, and is to be succeeded by Admiral Dahlgren.

General Fremont writes a long letter to the Secretary of War going to prove that General Butler does not rank him, as the latter was appointed major general on the 16th of May, 1861. while General McClellan and General Fremont were appointed on the 14th of the same month.

MISCELLANEOUS NEWS.

The Mayor, Comptroller, City Inspector and Counsel to the Corporation met at the Mayor's office vesterday, and decided upon measures for cleaning our dirty streets which will probably be carried out to-day.

The Board of Aldermen held a special meeting yesterday at two o'clock, and received from the neilmen a joint communication transmitted by the Mayor, Comptroller, City Inspector and Corporation Counsel, recommending the Common Council to direct the City Inspector to proceed with the cleaning of the streets at the expense of the sureties for the fulfilment of the Hackley contract; and on motion of Alderman Boole the sum of \$32,913 71 was appropriated for the purpose of paying the workmen employed by Hackley for the labor already done by them.

A special meeting of the Board of Councilmen was

held at one o'clock yesterday, for the purpose of taking action on a communication signed by the Mayor, Comptroller, City Inspector and Corpora tion Counsel, proposing that the Common Council should pass a resolution appropriating about \$32,000 to pay the street cleaners already employed by the City Inspector, and also to give that officer power to do the work, and, as the bills become due, present the same for payment to the sureties of the Hackley contract. In case the sureties refuse to pay the City Inspector is to sue for the amount, and while the action is pending the Comptroller shall advance the funds necessary to pay the workmen. It also proposes to take measures to break the Hackley contract and substitute a new one in its stead. The communication was refer-red to the Committee on Finance. The President (Mr. Jones) offered as a substitute a resolution transferring all authority in the matter to the Comptroller. A long and spicy debate ensued, during which the City Inspector's character for veracity was freely handled by Mr. Jones, and the lie direct was given by Mr. Sanford to that gentle man. Order being restored, the subject under discussion was made the special order for this evening at four o'clock, to which hour the Board

The upper rooms of the building No. 206 Eighth avenue were crowded last evening to hear an address from Mrs. Van Benthuysen, of Tennessee, another female candidate for oratorical honors of the Ann Dickinson school. Mrs. Van Benthuysen is a regular Yankee, according to her own state ment. She is about thirty years of age, calm and dispassionate in her address, pleasing in her ap-pearance, and apparently a lady of considerable information. The hall was nearly half filled with ladies. The fair orator's address was a very lengthy one, but it did not treat of any partic idea which merits distinct notice. She said that the people of the South are very confident of their ability to achieve independence, giving many of the arguments which they adduce to this effect. At the same time she expressed her own serious doubts that such a consummation could ever be accomplished, and went largely into data to show that whenever and however the rebellion may end human liberty would be triumphant, coming out purified by the fire. She was loudly applauded Mr. F. Montgomery, of the Vicksburg Whig, next made a few remarks, but we learn he will speak at length on a future occasion.

The trotting match for \$5,000, mile heats, best three in five, to wagons, between George M. Patchen and General Butler, came off yesterday afternoon at the Fashion Pleasure Grounds Patchen won the race. Five closely contested heats-time, 2:271/4, 2:29, 2:321/4, 2:30 and 2:32were trotted, the stallion winning the first, fourth and fifth; General Butler won the second and third

heats.
In the United States District Court yesterday. before Judge Betts, the prize schooner Neptun was condemned for running the blockade.

The veterinary surgeons held their second meet ing yesterday at the Astor House, and unanimo adopted a constitution and by-laws reported by the committee appointed for that purpose. The orga-nization will be known as the "United States Veterinary Medical Association." Its principal object is to contribute to the diffusion of the science of veterinary surgery. Dr. J. H. Stickney, of Boston, was elected President for the ensuing

In the Court of General Sessions yesterday before Recorder Hoffman, Maria Burke was arraigned for murder, in causing the death of Eliza beth Dunn, by beating her on the 29th of March Maria was allowed to plead guilty to the minor offence of manslaughter in the fourth degree. The trial of William Gurney, alias Newton ndicted for forgery, occupied the Court during the whole day, and the jury, after remaining out nearly two hours, brought in a verdict of not quilty.

depressing effect on the produce market yesterday. Flour wheat, corn, cotton and most kinds of provisions were cheaper, with limited sales reported. Whiskey and sugars were in moderate request at drooping rates, while coffee, teas, rice, molasses, oil, metals and naval stores were very sparingly purchased, and were unsettled. Hay and steady. Tallow was plenty and heavy. The freight market was quite dull.

The stock and gold markets were greatly depressed yes rally, and the indications were rather that morning at 7 per cent. Exchange was 153 % a 154 %. The usual trade tables for the month of May will be found in

The Late Cavairy Pight on the Rappahannock-Mysterious Movements of

We give to our readers this morning such details as have come to hand of the late severely contested and sanguinary cavalry fight on the Rappahannock. As the force on the Union side engaged was probably not less than ten thousand men, and as the struggle-hand to handcontinued from an early hour in the morning until noon, and as the losses on our side are renresented to be heavy, and on the part of the enemy fearful, this contest, compared with any of our previous wars, would be a battle of the first magnitude. In this gigantic war, however, it dwindles down in importance to a chance collision between a reconnoitering detachment from each of the two great armies confronting each other some twenty-five miles lower down

the river.
But the main result of this engagement—the repulse and retreat of Stuart's cavalry forceis claimed to be a matter of very considerable moment. It was discovered that Stuart was organizing on the Upper Rappahannock an immense cavalry expedition, with the evident design of a dashing and destructive raid into Maryland and Pennsylvania, and that, unless speedily checked, the expedition would be off and probably beyond pursuit. Accordingly General Hooker detailed the detachment of cavalry, artillery and infantry indicated in our despatches to defeat this scheme of Stuart, by meeting him and cutting him up while yet within striking distance. In this view it is claimed a very important object has been achieved, being no less, for the time being at least, than the defeat of the contemplated destructive rebel foray into Maryland and the rear of Washington, and perhaps into some of the richest counties of Pennsylvania.

In connection with this cavalry battle up the river there have been some very mysterious movements on both sides down in the neighborhood of Fredericksburg. All that we can make out of them is that the opposing generals like Napoleon and the Austrian General Melashave been moving their columns about simply to deceive each other. It is probable that the real object of Lee in strengthening his works on Fredericksburg heights is to leave them in charge of a small force for the amusement of his adversary, while, with the main body of his army, headed by Stuart's cavalry, an attempt is to be made to sweep round and get in between General Hooker and Washington. But it is also conjectured that all these men acing demonstrations of Lee are merely intended to deceive Hooker with the idea of a heavily reinforced rebel army, while in reality it has perhaps been heavily reduced in order to strengthen Joe Johnston in Mississippi. At all events we are gratified that the main

result of this late stubborn and sanguinary cavalry fight is a positive advantage to the Army of the Potomac, and a positive defeat of the forces and the plans of the enemy; and we hope that before long affairs on the Rappahannock will assume such a shape as to relieve the heads of the War Office and the people of Washington, Maryland and Pennsylvania of all aprehensions of danger.

THE FRENCH IN MEXICO.-Puebla has fallen but the French will find it no easy matter conquer the city of Mexico. The people are roused and will defend themselves with desperation, struggling with death for every foot of ground. The troops of General Forey will perhaps succeed in reaching the capital, but it will only be with a fearful loss of life; and when they do enter Mexico they will not have the whole country in subjection by any means. The Mexicans have been for years fighting among themselves. The French invasion has cause them to cease their war of factions and begin a patriotic struggle, which has proved them to be quite capable of brave deeds. Eight millions of people will not be held in subjection by hundred thousand troops, be they the best in the world; and Napoleon will find, when he has captured the city of Mexico, that the difficulties of his position on this continent have but begun The Mexicans will cut off his supplies, and will begin a fearful guerilla warfare against their invaders, poisoning them, destroying their advanced guards and overwhelming their convoys It will be a war of extermination, and Napoleo will find himself too far removed from the seal

It is more than likely, however, that the Em peror of the French has abandoned all idea of olding Mexico. He will no doubt offer terms to the Mexicans which they can accept the moment he has retrieved the stigma of his long continued non-success. He must know that obstinacy in this matter would be a dangerous course to pursue, and must recall to mind the disasters which overwhelmed the great Napoleon from a stubborn persistence in a far off campaign. Napoleon is also well aware that, were he to hold Mexico, the government of the United States would at no very distant date have something to say in the matter, and that when once it turned its attention that way be would inevitably have to retreat from this continent, as he could never undertake to battle against our forces combined with the Mexicans The rebellion is fast approaching its end, and the moment our civil war is terminated we can but cause France to leave this continent, s hold upon which she has obtained in our hour of intestine warfare. The American people cannot allow Napoleon to insult the majesty of this government with impunity; and they will not, as he will find to his cost, unless he retires from Mexico at his first opportunity The capture of the city will redeem him from the disgrace which the previous failure of the expedition had entailed upon France. This much accomplished, he will, if not blinded by fate, leave this continent.

GREELEY IN ANOTHER FIT OF EXCITEMENT. Poor Greeley seems to be composed of too excitable materials for this warm weather. He will be quite ready for a lunatic asylum by the next Presidential election. His present excitement is caused by our refusal to attend the editors' meeting last Monday, in order to accep the hospitalities of the Astor House and join in making a fuss about the liberty of the press. Poor Greeley was a blockhead to call such a meeting, and those who attended it deserve the same appellation. Meehan, the Irish editor, seemed to have a pretty good general notion of what he was talking about; but the rest of the party were mere drivelling partisans, who by no means represented the intelligence of the newspaper press of this city. For proof to the ridioulous speeches of Brooks and Greeley, and the still more ridiculous resolutions prepared for transmission to the President. As far as we are concerned we want nothing whatever to do with such meetings We practice the rights and duties of public ournalists under the constitution every day of our lives, and do not care to waste time in talking about them. Any man who is competent to conduct a paper upon philosophical statesmanlike and constitutional principles re quires no instruction nor assistance from such twopenny partisan editors.

THE BLUNDERING WORLD .- For some tim past the World, at different intervals, has spoken of Fitz John Perter as being in this city. That journal is very correct in some things. It can quote with accuracy "Plutarch's Lives," "Blackstone's Commentaries," and the Encyclopædias, which is easy enough when it has the books at its elbow. But as a live newspaper, giving an account of the current events of the day, it is nowhere. Fitz John Porter was not here at the time mentioned He was in the country, and bides his timeand his time will assuredly come. And as for General McClellan, he consorts with none but his own family. If Barlow, Buncombe Co., who sink so much money in the World and get nothing back, would only put a little common sense and sagacity into it they might retrieve a great deal of the cash which is now lavished upon the concern in vain.

ABBE MCMASTER AND FERNANDO WOOD .- The redoubtable Abbe McMaster, who took his degrees at Fort Lafayette, and is therefore entitled to an opinion, denies that Fernando Wood is a good peace man. The Abbe says that the Peace Convention resolutions and the Railroad Regency resolutions are both mere trash and and water. The Abbe furthermore declares that both conventions are entirely bogus. and that no man has a right to express an opinion about peace unless he has a diploma from Fort Lafayette, Fort Warren or Fort McHenry. There may be something in this. The Abbe may be right fer once. Let us wait

THE OLD SEDITION LAW REVIVED .- The relutions passed by the meeting of partisan editors at the Astor House last Monday admit the right of the President to stop any paper which he may think seditious or treasonable. This admission surrenders the whole question of the liberty of the press. It is a thousand times worse than the old Sedition law; for that only authorized seditious editors to be arrested tried and fined, but did not allow the suppres sion of newspapers. Well, if these editors are anxious to give the President all the power over the press which Napoleon or the Russian Czar ne. let them do so. Walt until a democratic President is elected, and see if the seditions and treasonable Trilame be not the first paper

MERS.—There have returned to this city and State from the Army of the Petomac within the last few weeks from twelve to afteen thousand of its best soldiers. Most, if not all of these, are men of education and intelligence. They went to the war from motives of patriotism and without any views of self-advancement; they have participated in all the hardships and dangers of the sanguinary campaigns of Virginia and Maryland, and from their superior disci-pline and valor have earned the designation accorded by Napoleon to his veterans of "the Old Guard." Now, we know no class whose views and sentiments it is more important to consult in the present position of our affairs than these men. They have studied attentively the course of the administration in connection with the conduct of the war; they have been personally affected by the various changes that it has been thought proper to effect in the command of the army to which they belonged; they have had the fullest opportunities of appreciating the merits and demerits of the successive gene rais under whom they have served; and, as their lives have been staked on the competency and energy of their commanders, their opinions have, upon all these points, an inconte value. In the present vascillating and mis-trusting condition of the public mind, and with an administration utterly without judgment or military foresight, we must seek for guidance where experience and freedom from political prejudices unite to point the way. These returned soldiers of the Army of the Potomac are the opportunely arrived Nestors of our difficulties. They are the practical statesmen who are to find a solution for the obstacles that have hitherto prevented the triumph of our arms That the radicals are fully sensible of this is evident from the efforts made by the broken down politicians of the party to prevent them paying a tribute of their respect, on their arrival in this city, to their old commander, McClellan. There is nothing that they dread more just now than any mani

festation of this kind. The sensitiveness thus exhibited renders i all the more important that we should endeavor to get at the real sentiments of the army. This can now be done without violating the rules of military discipline or introducing politics into the army. The gallant veterans who have just completed their term of service will probably remain home for a month or two before they again volunteer, as no doubt the great majority of them will do. Let them be convened together in a mass meeting from all parts of the State-arrangements being previously made for their transport here-in order that we may obtain a full and untrammelled expression of their sentiments on the conduct of the campaigns through which they have passed with so much honor to themselves, but, unfortunately, with so little advantage to the country. The opinions enunciated there will have a powerful influence in dispelling the illusions created by the misrepresentations of partisan journals, and may have the effect of shaping the future course of the President and of inducing him to cast out from his adminis tration the men whose imbecility and foolish ambition have been the main obstacles to the successful prosecution of the war.

THE CHICAGO TIMES AND THE LIBERTY OF THE PRESS AGAIN .- The Chicago Tribune, the meanest radical newspaper in the country, ungrateful that its own establishment was saved from popular vengeance by the act of the Pre-sident in rescinding the foolish order of Burnside against the Chicago Times, denounces Mr Lincoln because he would not lend himself to its scheme for the destruction of a rival concern It was at the instigation and through the machinations of the Tribune that the Times became involved in trouble; and because the President Burnside had begun he is bitterly assailed by the organ of Chase, Stanton & Co.

The object of these attacks upon the Presiient, and all the other attacks by abolition journals and orators, is to get rid of Mr. Lincoln as a candidate for the next Presidential term. But if the President had only the resolution of Andrew Jackson be would speedily clear out the whole Cabinet and construct a new one with materials more in harmony with the wishes of the people and the fitness of things. By taking this step and denouncing and repudiating the entire proceedings of the present adminis tration Mr. Lincoln would make himself so popular that there is little doubt he would be enominated by the voice of the people and be elected by their ballots. He owes it to himself as well as to the country to cut loose from a Cabinet which is like a millstone around his neck to drag him down to political perdition Let him at once free himself from this dead weight, and he will rise upon the crest of the popular wave, and in November, 1864, be borne triumphantly into power for the next four years.

FORTUNES MADE BY THE WAR .- It is generally believed, and with truth, that large fortunes have been made out of the war during the past eighteen months. We have seen a list of the names of one hundred and fifty persons who have made fortunes, varying from one hundred thousand to a million and a half of dollars during that period-some by stocks, some by contracts, some by shoddy, some by selling bad vessels to the government, some by crackers and cheese for the army and some by disposing of good offices. These shoddy aristocrats have added about two hundred brilliant new equipages to the Ring at the Park, and will soon figure largely at the watering places. Jay Cooke, the banker, is said to have cleared three hundred thousand dollars-minus eight or ter thousand dollars for advertisements-by the conversion of government bonds alone. So we go. Money is as plenty as dirt. It will soon be time to spend this spare cash at the summer retreats, and the season will be a splendid one.

GREELEY LYING AGAIN .- Poor Greeley says that McClellan excluded that miserable aboli tion paper, the Tribune, from the Army of the Po We believe this to be an impudent and unqualified falsebood. General McClellan never interfered with the newspapers. The soldiers themselves refused to read the Tribune or to receive it in their camps. When Pope had command of that army the Tribune could not be dis posed of at any price, and lay around rotting in piles. Still later, under Hooker, seven thouse Tribunes were sent down to the army, and the soldiers collected as many of them as possible and burned them, calling the blasing heap "Poor Greeley's funeral pyre." These facts show how the Tribune is excluded from the army. No sensible man will buy and read it either

THE THREATENED EFFORMIC.—Now that the very warm weather has returned we may look for a fearful increase of sickness in the city if the filth accumulating in our streets so rapidly is not at once removed. The Mayor, Comp troller, Corporation Counsel and Board of Aldermen did their duty on the subject yesterday. Let the Board of Councilmen act to-day, and we shall be safe. Throughout the entire city there are thousand of barrels upon the side walks containing garbage which in the heat of the sun is putrifying. The air is even now tainted, and we may anticipate a pestilence if the cause is not immediately removed. There will be a responsibility resting heavily upon some one unless steps are taken at once to save us from the menaced danger, and the people will surely see to it that due punish meted out to the guilty parties.

NEWS FROM WASHINGTON.

WAR GAZETTE.

OFFICTAL.

The Conseription-Opinion of the Hos William Whiting, Solicitor of the Wa Department. Wassington, June 10, 1963. The following official orders have been promulg

OFFICE PROVOET MANSEAL GENERAL, June 9, 1863.
The following opinion of Hom. Wm. Whiting, Solicitor f the War Department, has been ordered to be published by the Secretary of War:-

of the War Department, has been ordered to be published by the Scoretary of War:—

The national forces, liable to perform military duty, include all able-bodied male citizens of the United States, and persons of foreign birth who have declared their in tention to become citizens according to law, being between twenty and forty-five years of age. Certain persons are excepted, divided into eight classes. No persons are excepted, divided into eight classes. No persons but such as are therein excepted shall be exempt. (Sec. 2.)

It is declared the duty of the enrolling officers to enrol all persons subject to military duty. (Sec. 9.) All persons thus enrolled shall be subject for two years after July 1, succeeding the enrolment, to be called into the military service. (Sec. 11.) The national forces (not now in the military service) enrolled under the act shall be divided into two classes, &c. (Sec. 3.)

Those of the second class shall have been exhausted.

Thus it seems by the true construction of this act, while all persons coming within its provisions are to be enrolled in the national forces, nevertheless, under the first enrolment, these who were in the military service at the time the act went late effect are not to be included in that class which is subject to the first data.

Soveral provisions of this statute are inconsistent to the idea that persons then in the service were to be treated as liable to draft from the first class.

Thus it is provided in the seventh section that regulars, volunteers, militamen, or persons called into the service under this or any other act of Congress, were to be arrected as desertors wherever they might be found by the Provost Marshal, and to be sent to the nearest military post, thus admitting a pisia distinction between these different classes of persons, viz., these who were then in the service and those who were to be drafted in.

The same distinction between those who were in the service and those who were to be drafted in.

The statute, in providing for the classificat

The statute, in providing for the classification of troo

enlist.

The statute, in providing for the classification of troops from which drafts are to be made, enacts as follows:—(Section 3). That the national forces of the United States, not now in the military service, enrolled under this act, shall be divided into two classes. Thus those who are "now" (that is to say, on the 3d of March, 1863), in the military service, are not to be included in either of these classes. And as those then (March 3) in the service, were not included in either of these two classes, they may be said to constitute a class of persons to be enrolled under the provisions of this act.

As between the first and second class, the law (section 3) requires that the second class shall not in any district be called into the service of the United States until those of the first class shall have been thus called in.

Volunteers or regulars, who had been in the service, and who had been discharged therefrom, or had resigned prior to the 3d day of March, 1863, are liable to be drafted in the same manner as if they had never been in the service. No regard is to be paid to their former period of service, or to the length or brevity of the period between the date of their discharge and that of the draft.

Volunteers who were in the service of the United States on the 3d of March, 1863, and have since that time been discharged, are not, therefore, included in the first class from which the first draft is intended to be made, and are, therefore, not now liable to be called on by a draft which is to be made from that class of the forces of the United States under the provisions of this act.

VILLIAM WHITING,
Solicitor of the War Department,

PROVOST MARSHAL (SENEARLYS OFFICE,)

WAR DEPARTMENT, PROVOST MARSHAL GENERAL'S OFFICE, WASHINGTON, D. C. June 6, 1863. The following opinion of Hon. William Whiting, Solicitor of the War Department, has been ordered to be pub lished by the Secretary of War:-

OFINION.

It is made the duty of provest marshals "to obey all lawful orders and regulations sof the Provest Marshal General, and such as shall be pre-cribed by law concerning the enrolment and calling into service of the national forces." (Act March 3, 1963, section 7.)

The twenty-fifth section of the same act provides twenty-

men enrolled under the act into the service of the United States, or shall counsel or aid any person to resist any such draft, or shall assault or obstruct any officer in making such draft, or in the performance of any service in relation thereto, or shall counsel any person to assault or obstruct any such officer, or shall counsel any drafted man not to appear at the place of rendezvous, or wiffully pursuade them from the performance of military duty as required by law, such person shall be subject to summary arrest by the Provost Marshal, and shall be forthwith delivered to the civil authorities, and upon conviction thereof, be punished by a fine not exceeding five hundred dollars, or by imprisonment not exceeding two years, or by both of said punishments. To do any act which will prevent or impede the enrolment of the national forces (which enrolment is preliminary and essential to the draft), is to prevent or impede the draft tiself.

nary and essential to the draft), is to prevent or impede the draft itself.

The enrolment is a service to be performed by the Pro-vost Marshal in relation to the draft. It is not the act of drawing ballots out of a ballot box itself, but it is "in re-lation to it," and is the first step that must by law be taken preparatory to the draft. It is therefore clearly within the duty of the Provost Marshal to subject all per-sons who obstruct the enrolment, the meeting of the board, or any other proceeding which is preliminary and essential to the draft, to summary arrest according to the provisions of section 25.

coard, or any other proceeding which is prelimitary and essential to the draft, to summary arrest according to the provisions of section 25.

There are many ways of obstructing officers in the performence of their services or duties in making, or in relation to the draft, without employing playical force. The neglect or refusal to do an act required by law to be doe, may itself be such an obstruction as to subject the offender to arrest. Suppose a person to be found standing in a passage through which the drafting officers are required to enter into a place designated by law as the place for the draft, and suppose that his standing in that place for the draft, and suppose that his standing in that place of draft. If they request him to move away and he neglects or refuses to do so, for the purpose of preventing the draft, the non-performance of the act of removal would be of itself an "obstruction of the draft, or of an officer in the performance of this duty in relation to it."

Standing mute in civil courts is, under certain circumstances, a punishable offence. And so if a person, with intent to prevent the draft, refuses to give his true name when lawfully requested so to do by an officer whose legal duty it is to ascertain and enrol it, it is an observed. when lawfully requested so to do by an officer whose legal duty it is to ascertain and enrol it, it is an ob-struction of that officer in the performance of one of his duties in relation to the draxt. So also is the giving of false names, with the same illegal intent, and the offender false names, with the same illegal intent, and the offender will in either case be subject to summary arrest by the Provost Marshal.

Solicitor of the War Department.

James B. Fry, Provost Marshal General.

GENERAL NEWS

WASHINGT ON . June 10, 1863. REINFORCEMENTS FOR GED BRAL LEE. er who has just returned from Richmand s An omeer won has just returned a roll relation that recently twenty one regiments passed through there on their way to reinforce Gen. Lees, and that several regiments of North Carolina cavairj subsequently passed through Richmond for the same d estination.

DEPARTURE OF THE SECOND. NEW HAMPSHIRE PO THE ARMY OF THE POTOMAC. Second New Hamshire regiment, which has recent-reed from that State, he ving been home to recruit, will leave for the Army of the Potomac to-morrow mor

ADMIRAL DABLOREN TO TAKE COMMAND OF THE LOWER MISSISF.IPPI SQUADRON. mirst Farragut to be relieved from his present command.
Admirst Dahlgren, it is us derstood, will take his place as soon as the Vicksburg matter is settled. It is stated also that neither Admiral Dahlgren nor Admiral Foote, al-

though assigned to active sea service, is to abandon position as bead of a bureau in the Navy Department: AF.RESTS OF SPIES.
Seven men were rerested here to day as spice. They are in the custody of Colonel Baker.

TY'S BLOCKADE RUNNERS

The character of the blockade running has undergone a great change of late. Instead of the employment of large steamers by the contrabandists, about one half of which lately have failed of their object, very small craft have with corparative eafety. A vessel of this kind was re-cently taken of Charleston, with a dozen of our craisers in sight. Of course the prize money in such a case would not be worth distributing. The rebel military ser-vice essent be much advanced by the introduction of

triffing cargoes into little ports, scattered slong a thou

unication with the head of the cou non country roads.

Cotonel Evans, of the Second Calsernia regiones, in a despatch, dated Camp Douglas, Utah Territory. April 17, white officially communicating a spice-did victory over the Indians, repeats that the normons atood around the street corners in the town of Pleasant Grove, and on the tops of houses and haystacks, complacently looking on and apparently well pleased at the prospect of six Gentile soldiers. being murdered by seventy-five or one hundred ladians. He adds.—Comment is unnecessary further than to say that Licutenant Honoyman believes and thinks that he has prima facic evidence of the fast upon which to found his belief that the savages were informed by the Re-mons of his presence in the town with only five men, and as they supposed, a wagon load of provisions, both Fort Bridger, and that it was an arrangement b ome of the Mormons and Indians to murder party, take the property and divide the spo PARDONS BY THE PRESIDENT.

The President to-day pardoned James Baird, convicted at the April term of the United States District Court for Delaware of attempting to rob the mail, by assaulting the person having charge thereof, and sentenced to two years' imprisonment in the penitentiary of said State.

The President has also pardened William W. Bain, ossisted at the Ostober term of the United States District Court for Minnesota of counterfeiting coin, and sentenced to imprisonment in the State positentiary for a period of

NAVAL ORDERS.
Capt. Thomas F. Creven has been ordered to Commodore Turner of the command of the tron class steamer New Ironsides, and Commander F. A. M. Craven

A NEW ARTILLERY BRIGADE

Brigadier General Ledlie yesterday received authority from the War Department to raise a brigade of two regi nents of artillery in the place of the Third New York ar tillery, recently mustered out of service from General John G. Foster's department. General Ledlie is one of the best artillerists in the service, and will return to New York and commence recruiting immediately. He expect to have his brigade in the field in four weeks.

DECISIVE ACTION REQUIRED IN THE TREETOWNES.

The attention of the government is fixed in the direction of Kamans, New Mexico, Arizona, &c., French comquests in Mexico menacing the last mentioned Territories and the guerrilla warfare to the south of Kansas pre centing the return of the Cherokee refugees, and other wise threatening the policy of the government, requ

THE DISUSE OF CALOMEL IN THE MEDICAL DEPART-

MENT.
The order of Surgeon General Hammond, striking cale mel from the supply table of the Medical Department, occasioned quite a stir in some portions of that branch of the service. The disuse of this preparation of mercury is intended to avoid very serious results from its injudi cious use, when other mercurial preparations would better serve the purpose. Its discontinuance is generally re-garded as in accordance with all the recent and most approved teachings in medicine. THE MAGAZINE EXPLOSION AT PORT LYON

to day. The explosion yesterday did no serious damage, except to the migazine, which Colonel Alexander, Ohiof Engineer of the Defences of Washington, is already busy in replacing with one much more perfectly construc PERSONAL.

A distinguished party, composed of Miss Kate Chase, accompanied by Mrs. Bailey, Miss Albrecht, Senator Sher-man and Mr. Slade, paid a visit yesterday to the headman and Mr. Shade, paid a visit yesterday to the head-quarters of the Army of the Potomac and returned to-day. While on the Rappahannock the ladies crossed the river on one of the postoons, and went into the rifle pite from which the rebels had been driven by our troops the day before.

Mr. A. N. Zevoly, Third Assistant Postmaster General, has been for some days precluded from office duty by

Orderly Sergeant Bould, of the Sixth regular cavalry, has been promoted to a lieutenancy for distingu

IMPORTANT FROM ILLINOIS.

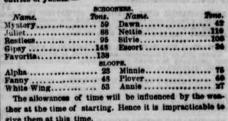
The Legislature Prorogued by the Governor Until 1865-The Act Declared E volutionary by the Members, &c., SPRINGPELD, III., June 10, 1868.

The Governor this morning issued an unconstitution

and revolutionary proclamation proroguing the Legisla-ture until 1866. The republicans left the halls and there-by broke the quorum in each, but the democrate refused to recognize the prorogation and continued the ses-sions. The Governor's pretext is that there is a disagreement between the two Houses on the subject of nt whatever. The democrats in the afternoon as meetives powerless to do any further business, ear ing the governor for his usurpation and uncacts, and informally left their seats, not recog ournment but a revolutionary breaking up Legislature. The Governor's proclamation was inten-to and did defeat the one hundred thousand dollar app priation for sick and wounded soldiers. The fin sage of that bill was pending in the House when it di olved. There is great excitatment here and deep ladig nation against the Governor.

The Regatta of the New York Yacht

The fourteenth annual regatta of the New York Yachs Club will take place to-day. The following is a-list of the entries of yachts: -



The regatta committee consists of Charles H. Haswell. Fleicher Westray and John T. Rollins, who will no do give the greatest satisfaction to all parties. From pre-sent appearances we are to have one of the old fashioned affairs, and one which will reflect great credit upon our New York Yacht Club. A fine day and a good bre all that is now needed to make up one of the finest affairs

General Ward B. Barnett has been authorized by the Governor of the State of New York to receive a sufficient Governor of the State of New York to Poetry a maintain number of regiments from Colonel Lansing, the Superintendent of recruiting service at the cantonment at New Dorp, Staten Island, to organize a brigade.

The President of the United States has agreed to accept

said brigade, under the command of General Ward B Burnett, who is well known to New York and to the

446 Broadway.

His hours for public business will be from ten o'clock in the forencen to four o'clock in the afternoon. All persons interested in the organization of this brigade will be received at those hours.

ORGAN EXHIBITION.—It will be seen that a grand-organ performance will take place this evening at the Church of the Mediator (Rev. Mr. Tyng's). Measur. King and Moryan, two of the best players in the country, will perform.

THE UNION HOME SCHOOL.—The second anniversacy of this institution took place last evening at the Ass Music. The Seventh regiment band discoursed i Music. The Seventh regiment bana discourses its a set strains. The children of the Twelfth street as et did their best, while the little orphans of the Union i School, in their badges of black, presented a sad y teresting appearance, which excited the sympathy of this institution was founded for the purpose of educand maintaining the children of our volunteers who be left usprovided for during this war, and was organized to the second of the seco

The United States Surveying Corps.

The United States survey steamer Vizes, with a surveying corps on beard, arrived here lad, evening, and will aboutly proceed to Rockland.